

Appl. No. 10/618,222

Amdt. Dated June 16, 2005

Reply to Notice of Non-Compliant Amendment of June 07, 2005

**REMARKS/ARGUMENTS**

Claims 8-9 remain in this application. The examiner has acknowledged that claims 8 and 9 are directed to allowable subject matter. Claims 1-7 have been canceled. Claim 10 has been withdrawn without prejudice. In the "Amendments to the claims" section, the full text of the withdrawn claim 10 is adduced. It is only one difference from our reply of June 03, 2005.

In view of the examiner's earlier restriction requirement, applicant retains the right to present claims 11-16 as new in a divisional application. This includes the situation where new claim 11 is modified form of the claim 1.

**We assert**, that the prototype patent No. 4,922,468 to J.K. Menezes (dated May 1, 1990) includes only well formulated conditions of a problem (statement of a problem), but there is no of the practical solution of a problem. Physical antinomies not been eliminated! We have made it!

Good solutions of an inventive problem are usually obtained through the elimination of physical antinomies, while poor solutions still have these antinomies incorporated. Elimination of physical antinomies requires their deep understanding in the context of the available technology and the rules of development of engineering systems. It would be difficult for an average inventor to consider all development rules to find, for his particular problem, the most appropriate way to eliminate antinomies. A knowledge of the physical sciences is very important from an inventor's viewpoint. Unfortunately, the average inventor with an engineering background has rather limited understanding of fundamental sciences. In the best case, he knows 5-7 physical effects and phenomena, which can be used in solving inventive problems. Our experienced examiner, **mister D.T. PIHULIC**, undoubtedly, knows it.


**DATE MAILED: of the Notice of Non-Compliant Amendment is shown, as 05.05.2005. I got the letter in Canada only 18.05.2005. I would like, once again, to turn your attention to fact, I have received first Notice of Non-Compliant Amendment of June 18, 2005. Thus all necessary terms kept to the schedule.**

In the such situation, in order to defend our basic claims, I took out **"the cancel-and-redraft approach"** to Amendments to the claims according to the Office of Patent Legal Administration (OPLA) of the US patent office.

We had 10 claims pending, now we have 8 claims pending. I don't think we owe any extra claims fees but if it will be necessary, we will pay.

Applicant respectfully request that a timely Notice of Allowance be issued in this case.

Respectfully submitted

  
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